**EPA REGISTRATION NUMBER 90743-1** 

## DATA EXTRACTION REQUEST

Reg # 90743-1 Decision # 488758
Description: New product registration
Material Sent:
Electronic Label/Letter Dated 8-6-2014 (See PPLS for electronic file)
☐ Stamped Label Dated (See jacket)
☐ Notification Dated (See jacket)
☐ New CSF(s) Dated (See jacket)
☐ Other:
File this coversheet and attached materials in the jacket. It must be well organized and clipped together, NOT STAPLED. Then give the jacket with the coversheet and materials to staff in the Information Services Center (ISC) (Room S-4900). If a jacket is full or only available as an image, please file materials in a new jacket and bring it down to the (ISC). For further information please call 703-605-0716.
Reviewer: Rita Kumas
Division: $RD/IRB$
Phone: 703-308-8291
Date: 8-7-14



#### U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

90743-1

August 6, 2014

Term of Issuance: Conditional NOTICE OF PESTICIDE:

Name of Pesticide Product:

D-Liminite Orange Oil

x Registration

Reregistration (under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Eliminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data. You must comply with DCI ID# GDCI 079701-1032 issued on 11/9/2011. If you have questions about the Generic DCI issued, you may contact Russell Wasem from the Pesticide Re-evaluation Division.
- 2. Submit the following data: One year storage stability (830.6317) and corrosion characteristics (830.6320) studies. These studies can be run concurrently. Observation must be made at 0, 3, 6, 9, and 12 months period and the results must be submitted to the Agency upon completion. These studies must be submitted within 18 months from the date of this letter.
  - 3. Add "EPA Registration Number 90743-1" to the label.

Date: Signature of Approving Official: August 6, 2014 Meredith F. Laws, Chief Insecticide Rodenticide Branch

EPA Form 8570-6

page 2 EPA Reg. No. 90743-1

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Submit two copies of the revised final printed label before you release the product for shipment. Your release for shipment of the product constitutes acceptance of these conditions.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label or durably marked on the container itself, and can be added by non-notification per PRN 98-10.

A stamped copy of the label is enclosed for your records. If you have any questions, contact Rita Kumar at (703) 308-8291, or <a href="mailto:kumar.rita@epa.gov">kumar.rita@epa.gov</a>.

Meredith F. Laws, Chief Insecticide Rodenticide Branch Registration Division (7505P)

Enclosure



# FININITED ENVERSONS

## FOR DRYWOOD TERMITES, WOOD BORING BEETLES AND CARPENTER ANTS

## **Ingredients**

Active Ingredient: d-Limonene:	. 95%
Inert Ingredients:	5%
Total Ingredients:	100%

# KEEP OUT OF REACH OF CHILDREN CAUTION

See Back Panel for Additional Precautionary
Statements

EPA Reg. No.

EPA Est. No.

Manufactured by

## ELIMINITE TERMITE SERVICES, INC.

1000 W. Bradley, Suite G, El Cajon, CA 92020

For product use information call (855) 504.8989 (toll free)

For Chemical Emergency, Spill, Leak or Fire call CHEMTREC (800) 424-9300 For Medical Emergency or Adverse Event call PROSAR (800) 983-4711

**NET CONTENTS 1 GALLON (3.785L)** 

#### PRECAUTIONARY STATEMENTS

#### FIRST AID

Have the product container or label with you when calling a poison control center or going for treatment.

If swallowed: Call a poison control center or a doctor immediately for treatment advice. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything to an unconscious person.

If in eyes:Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 15 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

If on skin: Take off contaminated clothing. Rinse skin immediately with the soap and plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth of possible. Call a poison control center or doctor for further treatment advice.

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION:

Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. May cause eye or skin irritation. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Harmful if inhaled. Avoid breathing vapor. Wash thoroughly with soap and water after handling. Do not use or store near heat or open flame.

**PERSONAL PROTECTIVE EQUIPMENT (PPE):** All pesticide handlers (loaders and applicators) must wear long-sleeve shirts and long pants, socks, shoes, chemical resistant gloves and protective eyewear.

#### USER SAFETY REQUIREMENTS

Follow manufactures instructions for cleaning/maintaining PPE. If no such instructions for washables are available, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS: Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean water mark Do not contaminate water when disposing of equipment, washwater or rinsate.

SPILL PROCEDURES: Remove source of spill. Use absorbent materials to clean up liquid spills. Put absorbed liquid in waste disposal container and flush contaminated surfaces in water. Dispose of according to local and regional authority requirements. This product is biodegradable.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by large storage and disposal.

Pesticide Storage: Store in original container in a cool, dry area and inaccessible to children and domestic animals.

**Pesticide Disposal:** Water resulting from the use of this product may be disposed onsite or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after use. Offer for recycling if available, or puncture and dispose of in a sanitary landfill., or by other approved State and local procedures.

#### DIRECTIONS FOR USE

## IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT ON A MANNER INCONSISTENT WITH ITS LABELING FOR USE IN WOODEN STRUCTURES AND/OR WOODEN OBJECTS

Structural Drywood Termite Infestation: Applicator must locate termite galleries. Visual signs of infestation such as frass, pellets, or blistered wood, "kick-out holes" and presence of live insects can be used to locate drywood termite infestations. Fiber optic equipment, Thermal Imageing or listening devices can also be used.

Application Equipment: Apply D-liminite Orange Oil using B&G Injector Model T1000 Trigger with 6466 T-Jet Valve or equivalent with 14.5 psi in line pressure register.

Wood Injections: Drill 7/64" holes into galleries within infested wood. Avoid electrical wiring and plumbing when drilling. Do not drill completely through wood. Use a "Wide W" pattern at 3"-5" intervals to ensure coverage and penetration of **D-liminite Orange Oil**. Drill holes on opposite sides of 4" x 10" or larger beams to effectively penetrate galleries. Inject for up to one minute. Avoid splash back or runoff from excessive or prolonged use. Plug holes after treatment with wood fillers or other non-wood material. Inject or topically apply at a rate of .19 gallon per 100 sqft. Topical applications should only be applied to bare timber/non painted surfaces.

Retreatment: Do not apply again to same area within one year. For best results, inject D-liminite Orange Oil into new holes drilled between previous injection sites.

Wood Boring Beetle Infestation: Applicator must locate beetle infestation. Topically apply D-liminate Orange Oil at a rate of 1 gallon per 100 sqft or until surface is thoroughly wet. D-liminite Orange Oil may also be injected with the "Wide W" pattern.

Retreatment: Do not apply again to same area within one year. For best results, inject D-liminite Orange Oil into new holes drilled between previous injection sites.

Structural Carpenter Ant Infestation: This product will only kill foraging carpenter ants present at the time of application. Applicator must locate ant infestation. Inject 1 oz. of **D-liminite Orange Oil** in wall void framing at 10 to 15 psi using B&G Injector Model T100 Trigger with 6466 T-Valve or equivalent. Patch and seal area after treatment.

Retreatment: Do not apply again to same area within one year. For best results, inject D-liminite Orange Oil into new holes drilled between previous injection sites.

Warranty Disclaimer: Manufacturer Warrants to the extent consistent with applicable law that this product confirms to its chemical description and is reasonably fit for purposes stated on the label, when used in accordance with the directions and instructions specified on the label under normal conditions of use. MANUFACTURER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of use: The directions for use of this product are believed to be adequate and must be carefully followed. It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of such a factor as use of the product contrary to label instructions, abnormal conditions, the presence of other materials, climatic conditions or the manor of use/application, all of which are beyond the control of the Manufacturer. The buyer/user assumes all such risks.

Limitation of Remedies: To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability or other legal theories) shall be limited to, at Manufacturer's election, one of the following:

- 1. Refund of purchase price paid by buyer or user for product bought, or
- 2. Replacement of amount of product used.

To the extent consistent with applicable law: a) Manufacturer shall not be liable for losses or damages resulting from handling or use of this product unless Manufacturer is promptly notified of such loss or damage in writing; and b) IN NO CASE SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OR LOSSES, INCLUDING WITHOUT LIMIT, HEALTH RELATED DAMAGES OR INJURIES.

The terms of this Warranty Disclaimer and Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Manufacturer or the seller is authorized to vary or exceed the terms of this Warranty Disclaimer or Limitation of Remedies in any manner.

It is not intended that this product be used to practice any applicable patent, whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.

Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Resubmission!

\$ 956110

### Kevin Kutcel <kevinkutcel@gmail.com>

Wed 7/30/2014 3:42 PM

To:Kumar, Rita <Kumar.Rita@epa.gov>;

@ 2 attachments

Eliminite D-liminite ORANGE OIL revised highlighted.pdf; Eliminite D-liminite ORANGE OIL label.pdf;

Rita,

Hopefully, this will suffice.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

## RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Kumar, Rita

Wed 7/30/2014 2:24 PM

To:Kevin Kutcel <kevinkutcel@gmail.com>;

Kevin: This is fine. Now I spotted three editorial corrections to be made:

- 1. The Env. Hazards para has an extra period at the end. Pl delete one.
- 2. In the Wood Injections paragraph, 100sqft should be two words: 100 sqft.
- 3. In the Wood Injections paragraph, the last sentence is incomplete. Please complete this sentence.

Please review the whole label and correct any other errors that may be there, and submit a highlighted copy and a clean copy of the revised label. I need to have this by this evening or tomorrow morning. Thanks,

Rita

From: Kevin Kutcel < kevinkutcel@gmail.com > Sent: Wednesday, July 30, 2014 1:38 PM

To: Kumar, Rita

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Rita,

Attached is the revised label from my client. I am not sure he followed your instructions correctly. Did you want the PPE instructions under User Safety Requirements in the box. Please review and comment.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256 Tel: 440-263-7305

Fax: 440-398-0476

# FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

## Kevin Kutcel < kevinkutcel@gmail.com>

Wed 7/30/2014 1:38 PM

To:Kumar, Rita < Kumar.Rita@epa.gov>;

0 1 attachment

Eliminite D-liminite ORANGE OIL revised label.pdf;

#### Rita,

Attached is the revised label from my client. I am not sure he followed your instructions correctly. Did you want the PPE instructions under User Safety Requirements in the box. Please review and comment.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

From:Barry OGorman [mailto:barryo@eliminite.co]

Sent: Wednesday, July 30, 2014 12:44 PM

To: 'Kevin Kutcel'

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Ok - here you go ....

#### Barry O'Gorman

Eliminite Termite Services, Inc. Encore Real Estate Services, Inc. Direct: (619) 334.0051 Ex: 4 / Fax: (619) 334.4531 www.notents.net / www.encorerealestate.net

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Wednesday, July 30, 2014 6:58 AM

To: 'Barry OGorman'

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Barry,

We are almost there. The EPA needs you to separate out your PPE statement and put in a box. I don't have an editable label to do this, but I marked up your label and scanned it to show you what is needed. Her explanation is below. I really believe this is the last step to get your stamped label.

### Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305

Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

www.eparegistration.com

From: Kumar, Rita [mailto: Kumar. Rita@epa.gov]

Sent: Tuesday, July 29, 2014 4:18 PM

To: Kevin Kutcel

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Kevin: I must apologize for not catching this earlier, but there must be one more round of revisions, as indicated below:

The heading Personal Protective Equipment (PPE) has been merged with application sites heading,
which is not allowed. The heading and paragraph for PPE must be placed below the Hazards to Humans
and Domestic Animals paragraph. PPE must be followed by a paragraph titled User Safety Requirements
within a solid line box. I hope you know what text to put in this new paragraph. Please consult the
Label review Manual if you need more guidance re these statements and their location.

2. The Environmental Hazards paragraph contains some text which is meant for technical and manufacturing use products. Delete all the text starting with "Do not discharge effluent containing this product into lakes, streams" .......and ending with "......Regional Office of the EPA".

Hopefully this will be the last revision. Regards, Rita

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Tuesday, July 29, 2014 3:23 PM

To: Kumar, Rita

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Importance: High

Rita.

Please find attached label for 90743-R with changes requested.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

From:Barry OGorman [mailto:barryo@eliminite.co]

Sent: Tuesday, July 29, 2014 3:22 PM

To: 'Kevin Kutcel'

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Importance: High

Here you go. "liability" statement removed and revisions made as requested.

Barry O'Gorman

Eliminite Termite Services, Inc. Encore Real Estate Services, Inc. Direct: (619) 334.0051 Ex: 4 / Fax: (619) 334.4531 www.notents.net / www.encorerealestate.net

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Tuesday, July 29, 2014 11:38 AM

To: 'Barry OGorman'

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

yes

From:Barry OGorman [mailto:barryo@eliminite.co]

Sent: Tuesday, July 29, 2014 2:35 PM

To: 'Kevin Kutcel'

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Does she mean delete the "liability" statement on the left side now that we have added it to the warranty statement - I assume??

#### Barry O'Gorman

Eliminite Termite Services, Inc. Encore Real Estate Services, Inc.

Direct: (619) 334.0051 Ex: 4 / Fax: (619) 334.4531 www.notents.net / www.encorerealestate.net

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Tuesday, July 29, 2014 11:21 AM

To: 'Barry OGorman'

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Barry,

Please see below and send me an updated label.

Kevin

From: Kumar, Rita [mailto: Kumar. Rita@epa.gov]

Sent: Tuesday, July 29, 2014 12:24 PM

To: Kevin Kutcel

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Kevin: Thanks so much for this highlighted version. However, a couple of changes need to be made, as

indicated below:

- Delete the Liability statement. It is redundant with the full warranty statement.
- 2. In the warranty statement, under the heading Limitation of Remedies and elsewhere, change "To the extent not prohibited by applicable law" to "To the extent consistent with applicable law".

Please submit revised label, preferably today. Thanks,

Rita

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Monday, July 28, 2014 8:46 PM

To: Kumar, Rita

Subject: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Rita,

Attached is a label with the additions highlighted for 90743-R.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

From:Barry OGorman [mailto:barryo@eliminite.co]

Sent: Monday, July 28, 2014 5:50 PM

To: 'Kevin Kutcel'

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Ok here you go - all required changes plus some warranty disclaimer stuff - all highlighted.

#### Barry O'Gorman

Eliminite Termite Services, Inc. Encore Real Estate Services, Inc.

Direct: (619) 334.0051 Ex: 4 / Fax: (619) 334.4531 www.notents.net / www.encorerealestate.net From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Monday, July 28, 2014 2:06 PM

To: 'Barry OGorman'

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Barry,

Please highlight the additions/changes you made to the label.

Kevin

From: Kumar, Rita [mailto: Kumar. Rita@epa.gov]

Sent: Monday, July 28, 2014 5:03 PM

To: Kevin Kutcel

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Can you please send me a highlighted copy?

Thanks, Rita

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Monday, July 28, 2014 4:53 PM

To: Kumar, Rita

Subject: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Rita,

Attached is the amended label for Reg. No. 90743-R. I look forward to hearing from you.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com



#### Kumar, Rita

From:

Mathur, Shyam

Sent:

Monday, July 21, 2014 3:26 PM

To:

Kumar, Rita

Subject:

RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Hi Rita: If the end use is produced by a non-integrated process, the data on preliminary analysis (5-batch analysis) is not required. Shyam

Shyam Mathur, Ph. D Product Chemistry Team Leader Technical Review Branch/RD (7505P) OCSPP/Environmental Protection Agency, USA Tel: 703-308-9374 mathur.shyam@epa.gov

From: Kumar, Rita

Sent: Monday, July 21, 2014 3:14 PM

To: Mathur, Shyam

Subject: FW: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Importance: High

Hi Shyam: can you please confirm that preliminary analysis is not needed for an end use product that is manufactured by non-integrated process?

5955659

Thanks, Rita

From: Kevin Kutcel [mailto:kevinkutcel@gmail.com]

Sent: Friday, July 18, 2014 5:21 PM

To: Kumar, Rita

Subject: RE: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Rita,

Regarding your e-mail below, preliminary analysis should not be required for this product as it is a non-integrated product. I do not have the review for MRID No. 47651901. The review should be located in the jacket for Reg. No. 71986-2. I will need to check with PRIA to see if they can locate the review or study.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

From: Kumar, Rita [mailto:Kumar.Rita@epa.gov]

Sent: Friday, July 18, 2014 4:48 PM

To: kevinkutcel@gmail.com

Cc: Baris, Reuben

Subject: Pending application for D-Liminite Orange Oil (EPA File Symbol 90743-R)

Dear Kevin: I am reviewing this application, and find it deficient for the following:

- The data matrix for product chemistry is incomplete. You did not include the MRID 3 for Preliminary Analysis. Please submit a revised data matrix ASAP.
- 2. We were unable to find a review for the efficacy citation(MRID # 47651901) for drywood termite. Can you please provide a review of the data that was submitted under this MRID #?

I will send you some label comments next week, but these data issues must be resolved first.

Best Regards,

Rita

## **Summary Information For** Study 47651901

MRID:

47651901

Citation Reference:

Scheffrahn, R. (2003) Evaluation of (Inert Ingredient) for Control of Mature Colonies of

the Southeastern Drywood Termite, Incisitermes snyderi Infesting Field-Collected

Wood. Unpublished study prepared by University of Florida. 7 p.

86-5 Status:

Pass (21-Aug-2010)

Author:

Scheffrahn, R.

Content Category:

Complete primary report -- experimental research

Receipt Date:

27-Jan-2009

Laboratory Project #:

Accession #:

Products Tested:

71986-2

Status:

DP #:

### Ingredients

PC Code	CAS#	Ingredient Name	
	5989-27-5	d-Limonene	
Total Row	s: 1		

## Laboratory

Laboratory #	Laboratory Name
71986	XT-2000, INC.
954246	University of Florida
Total Rows: 2	

EPA Home | OPP-Home | Search | Help

Last updated on May 11, 2012, Version 1.12 https://w2032pcctr562/pls/prism10p



January 26, 2009

Ms. Julie Chao Registration Division (H7505C) Office of Pesticide Programs Environmental Protection Agency Washington, DC 20460

re:

XT-2000 Orange Oil Plus EPA File Symbol 71986-E Company: XT-2000, Inc.

Data Submission in Support of Registration of Substantially Similar Product

Dear Ms. Chao:

Enclosed please find the following data submitted in support of the subject application for registration:

Volume 1 of 1

Evaluation of *d*-Limonene for Control of Mature Colonies of the Southeastern Drywood Termite, *Incisitermes snyderi*, Infesting Field-Collected Wood

MRID#

47651901

If you have any questions regarding this submission, please contact me as soon as possible.

Sincerely,

Jeff Jones

Agent, XT-2000, Inc.

Enclosure

#### **EFFICACY REVIEW**

PRODUCT:

XT-2000 Orange Oil

REG. NUMBER:

71986-1

DATE:

10-29-07

DP BARCODE:

D345969

DECISION NUMBER:

383262

GLP:

n/a

CHEMICAL:

Limonene (92%)

CHEMICAL NUMBER:

079701

PURPOSE:

Review revised labeling to determine if it is acceptable.

MRID:

n/a

TEAM REVIEWER:

Rita Kumar

EFFICACY REVIEWER: Kable Bo Davis, M.S., Entomologist

SECONDARY

EFFICACY REVIEWER: Joanne Edwards, M.S., Entomologist

#### BACKGROUND:

XT-2000 is intended for the kill of structural infestations of drywood termites, wood boring beetles, and carpenter ants. In an Agency efficacy review dated March 26, 2007, the following recommendations were recorded:

- The submitted data support the use of XT-2000 for the kill of foraging carpenter ants. The data do not support claims of eradication of infestation. All mention of eradication of carpenter ant infestation must be deleted from the label. The following disclaimer must be included on the label. "This product will only kill foraging carpenter ants present at the time of application."
- 2. The directions for use state to "topically apply XT-2000 at a rate of 1 gallon per 100 square feet in wall void". These directions lack the methodology of how to apply XT-2000 inside wall voids. Revised directions for use must be submitted detailing how to treat the inside of wall voids with this product.
- 3. Until an explanation of why the drywood termite retreatment section reads "Do not apply again to same area within one year" and both the wood boring beetle and carpenter ant retreatmen: sections read "reapply as necessary", all retreatment sections must read "Do not apply again to same area within one year".

SOMON

The revised labeling was submitted in an attempt to correct the deficiencies outlined above.

#### RECOMMENDATIONS:

The revised labeling for XT-200 (EPA Registration No. 71986-1) is acceptable with the following provisions:

1. All mention of eradication of carpenter ant infestations must be deleted from the label. The following disclaimer must be included on the label:

"This product will only kill foraging carpenter ants present at the time of application."

To have this disclaimer removed in the future, acceptable indoor (we recommend 10 infested structures) field data must be submitted.

COPY

#### EFFICACY REVIEW

PRODUCT:

XT-2000 Orange Oil

REG. NUMBER:

71986-1

DATE:

2-26-07

DP BARCODE:

D337206

**DECISION NUMBER:** 

370949

GLP:

No

CHEMICAL:

Limonene (92%)

CHEMICAL NUMBER:

079701

PURPOSE:

Provide efficacy data to support the addition of carpenter

ants to the label.

MRID:

47008501. Warner, W., Scheffrahn, R. (2004) (92%)

d-Limonene) Toxicity of XT-2000 on the Tortugas Carpenter Ant Camponotus Tortugauns (Hymanoptera: Formicidae). Unpublished study prepared by University of

Florida. 5p.

TEAM REVIEWER:

Kable Bo Davis

EFFICACY REVIEWER: Kable Bo Davis, M.S., Entomologist

SECONDARY

EFFICACY REVIEWER: Joanne Edwards, M.S., Entomologist

#### BACKGROUND:

XT-2000 is intended for the kill of structural infestations of drywood termites, wood boring beetles, and carpenter ants (proposed). For carpenter ants, the proposed DIRECTIONS FOR USE read as follows:

"Structural Carpenter Ant Infestation: Applicator must locate ant infestation. Topically apply XT-2000 at a rate of 1 gallon per 100 square feet in wall void. Retreatment: Reapply as necessary to eradicate infestation."

#### DATA REVIEW:

The following data review is comprised of explanations of materials and methods, and a summation of experimental results containing a table with reformatted data.

47008501. Warner, W., Scheffrahn, R. (2004) (92% d-Limonene) Toxicity of XT-2000 on the Tortugas Carpenter Ant Camponotus Tortugauns (Hymanoptera: Formicidae). Unpublished study prepared by University of Florida. 5p.

The experimental design consisted of laboratory bioassays containing twelve worker carpenter ants per replicate. Each bioassay tested one of the following four treatment variables: direct spray of ants, pretreated wood with lid, pretreated wood without lid, and control (water). XT-2000 was applied at full strength at a rate of 29.57 ml/0.92903m<sup>2</sup>. Observations on mortality were observed and recorded.

#### Results:

Table 1. Efficacy of XT-2000 Against Camponotus tortuganus

	30 min	1 hr	1.5 hr	51 hr	76 hr
Direct Spray	33%	48%	48%	60%	73%
Pretreated Wood (with lid)	23%	73%	92%	100%	100%
Pretreated Wood (without lid)	8%	46%	60%	83%	85%
Control	0%	0%	0%	2%	4%

The percent mortality after 76 hours ranged from 73% (direct spray) to 100% (pretreated wood with lid).

#### RECOMMENDATIONS:

1. The submitted data support the use of XT-2000 for the <u>kill of foraging carpenter</u> ants. The data do not support claims of eradication of infestation. All mention of eradication of carpenter ant infestation must be deleted from the label. The following disclaimer must be included on the label.

"This product will only kill foraging carpenter ants present at the time of application."

- 2. The directions for use state to "topically apply XT-2000 at a rate of 1 gallon per 100 square feet in wall void". These directions lack the methodology of how to apply XT-2000 inside wall voids. Revised directions for use must be submitted detailing how to treat the inside of wall voids with this product.
- 3. Until an explanation of why the drywood termite retreatment section reads "Do not apply again to same area within one year" and both the wood boring beetle and carpenter ant retreatment sections read "reapply as necessary", all retreatment sections must read "Do not apply again to same area within one year".

## **EFFICACY REVIEW** XT 2000 Termiticide; EPA Registration No. 71986-1

DATE:

10/18/04

DP BARCODE:

DP308968

GLP:

No

CHEMICAL:

d-Limonene (92%)

CHEMICAL NUMBER:

079701

PURPOSE:

The purpose of this review is to provide drywood termite efficacy data as a condition of registration, and to provide data to support the use of XT 2000 on structural carpenter ant infestations.

MRID:

(These studies were reviewed without assigned MRID numbers.) Scheffrahn, R. (2004) Evaluation of d-Limonene for Control of Mature Colonies of the Southeastern Drywood Termite, Incisitermes snyderi, Infesting Field-Collected Wood. Study prepared by University of Florida.

Warner, J; Rudolf, S. (2004) Toxicity of XT-2000 (92% d. limonene) on the Tortugas Carpenter Ant Camponotus tortuganus (Hymenoptera: Formicidae). Study prepared by University of Florida.

TEAM REVIEWER:

Kable Bo Davis

EFFICACY REVIEWER: Kable Bo Davis, M.S., Entomologist

SECONDARY

EFFICACY REVIEWER: Joanne S. Edwards, M.S., Entomologist

#### BACKGROUND:

XT 2000 is currently registered for the control of structural drywood termite infestations and is intended to be used solely by licensed pest control operators. XT 2000 is applied via wood injection and should not be used more than once a year per treatment site. For optimal results, holes should be drilled using a "W" pattern, and then plugged upon completion of application.

Proposed carpenter ant labeling indicates that one ounce of XT 2000 should be applied at the bottom of wall voids at 10 to 15 PSI and then patched and sealed. Carpenter ant treatments can be repeated when necessary.

The registration notice dated October 18, 2001 stated the original efficacy data were not acceptable due to poor experimental design, and that a "test protocol" must be submitted to the Agency within a six month time frame. Upon approval of the protocol, the registrant would provide "progress reports" every six months until the final study was submitted. In a review by Joanne Edwards, dated October 2, 2002, the protocol was deemed acceptable.

#### DATA REVIEW:

The following data review is comprised of explanations of materials and methods, and a summation of experimental results containing tables with reformatted data.

Scheffrahn, R. (2004) Evaluation of d-Limonene for Control of Mature Colonies of the Southeastern Drywood Termite, *Incisitermes snyderi*, Infesting Field-Collected Wood. Study prepared by University of Florida.

The experimental design was comprised of limbs or trunks of Brazilian pepper, infested with drywood termites (*Incisitermes snyderi*). The openings into the gallery were sealed with rubber putty and all colonies were allowed to acclimate for several hours before treatment. Holes were drilled into the galleries and half of the infested limbs were injected with 92% d-limonene. The other half were injected with water and served as controls. All drill holes were plugged upon completion of application. Observations on mortality were made after 30 days, and each treatment was replicated eight times.

#### Reported Results:

Table 1. Mortality of *Incisitermes snyderi* colony members in wood injected with 92% d-limonene after 30 days.

Log Number	Treatment 2	Percent Mortality
Log 1	d-limonene	98%
Log 2	d-limonene	86%
Log 3	d-limonene	47%
Log 4	d-limonene	100%
Log 5	d-limonene	99%
Log6	d-limonene	100%
Log 7	d-limonene	100%

d-limonene		100%	
1-8 Logs 1-8	water (control)	0%	

The reported data demonstrates "kill" of drywood termites when infestations are treated with 92% d-limonene. Thirty days following treatment, the percent mortality for infestations exposed to 92% d-limonene ranged from 47% to 100%, while all infestations treated with water maintained 0% mortality.

Warner, J; Rudolf, S. (2004) Toxicity of XT-2000 (92% d-limonene) on the Tortugas Carpenter Ant Camponotus tortuganus (Hymenoptera: Formicidae). Study prepared by University of Florida.

The experimental design was comprised of four PVC tubes glued to a piece of plywood. Each of the tubes acted as a different treatment. The plywood surface of two of the tubes were pretreated with XT-2000, and then covered with either a solid lid (no ventilation) or an insect screen (ventilation). Twelve carpenter ants were added to each of the four tubes. The arms within one of the non-pretreated tubes were sprayed directly with XT-2000, while the ants within the other non-pretreated tube were sprayed directly with water, and acted as a control. All tubes, minus the pretreated tube with a lid, were covered with insect screens. Observations on mortality were taken at 0.5, 1.0, 1.5, 51.0, and 76.0 hours. Each treatment was replicated four times.

#### Reported Results:

Table 2. Mean Percent Mortality of Camponotus tortuganus Adults After 0.5, 1.0, 1.5, 51.0, and 76.0 Hours Exposure to XT-2000.

	0.5 Hour	1.0 Hour	1.5 Hour	51.0 Hours	76:0   lours
74- 34 S	. 16. 14	Me	an Percent	Mortality	
Control	0%	0%	0%	2%	4%
Direct Spray	33%	48%	48%	60%	73%
Surface Spray (no lid)	. 8%	46%	60%	83%	85%
Surface Spray (with lid)	23%	73%	92%	100%	100%

The reported data showed the surface spray treatment with a lid to have the highest percent mortality, showing a greater than 90% mortality beginning at 1.5 hours. Surface treatment without a lid achieved the second highest percent mortality, killing 85% of the tested carpenter ants after 76.0 hours.

#### RECOMMENDATIONS:

The submitted data supports the use of XT-2000 on structural drywood termite infestations and has therefore fulfilled the conditions of registration dated October 18, 2001. The submitted data do not support the use of XT-2000 on structural infestations of carpenter ants. The following recommendations have been included:

- In addition to the laboratory study, additional field data must be submitted that illustrates
  the efficacy of XT-2000 on carpenter ant infestations in actual structural voids. The
  submitted study must be comprised of a minimum of three geographically separated trials
  and the method of application must be consistent with what is described on the proposed
  label.
- Within the Materials and Methods portion of the study, it was stated that XT-2000 was applied at the full strength rate of 1 ounce per 10 square feet, however the label says to apply 1 ounce of XT-2000 to the bottom of a wall void without any clarification as to what size of area. This needs to be clarified on the label, and reflected in the methodology for the field studies.
- Within the "Structural Drywood Termite Infestation" portion of the Directions For Use section of the label, it is stated that XT-2000 must not be reapplied to the same area more than once a year, however within the "Structural Carpenter Ant Infestation" portion it is stated that applications may be repeated as necessary. Explain the rationale for application timing for each of these structural pests.

#### EFFICACY REVIEW

#### XT 2000 Termiticide

Date:

10/2/02

EPA Reg. No.:

XT 2000 Termiticide

EPA File Symbol 71986-1

Company Name:

Xtermite, Inc.

Case Number:

006562

Shaughnessy No.:

079701

DP Barcode:

D285121

Pest:

Drywood termites

Active Ingredient:

Chemical:

d-Limonene

GLP:

NA

Purpose:

Review of protocol

Branch Supervisor:

Meredith Laws, Branch Chief

Team Reviewer:

Stephanie Nguyen

Efficacy Reviewer:

Joanne S. Edwards, Entomologist

DISCUSSION

Protocol entitled: Evaluation of d-Limonene for Control of Mature Colonies of the Southeastern Drywood Termite, *Incisitermes snyderi*, Infesting Field-Collected Wood. Rudolf H. Scheffrahn Univ. of Florida; Ft. Lauderdale, FL. October 2001.

The laboratory bioassay design is deemed acceptable, with exceptions that (1) three distinct colonies should be used; (2) there should be a minimum of five replicate per treatment; and (3) a positive control should be employed. The requirement for field testing is reserved pending the results of the laboratory testing.

GO/0)/

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

#### SIMILARITY CLINIC MEMORANDUM:

Subject:

EPA Reg. No.: 90743-R/D-Liminite Orange Oil

DP Barcode: 418978

PC Code: 079701

From:

Marianne Lewis, Biologist

Insecticides/Rodenticides Branch

Registration Division (7505P)

To:

Reuben Baris, PM 7

Rodenticide-Insecticide Branch

Registration Division (7505P)

Applicant:

Eliminite Termite Services, Inc.

1000 W. Bradley, Suite G El Cajon, CA 92020

FORMULATION FROM EPA Reg. No. 90743-R LABEL:

Active In one Hearth.	% by wt.
Active Ingredient(s):	
d-Limonene:	95.0%
Inert Ingredient(s):	5.0%
Total	100.0%

\*Product ingredient source information may be entitled to confidential treatment\*

BACKGROUND: The registrant is claiming substantial-similarity to EPA Reg. No. support the registration of their new product, EPA Reg. No. 90743-R. The subject product is a 100% repack of Based on the acute toxicity profile for EPA Reg. No. the following acute toxicity categories will be assigned to the subject product: acute oral (81-1) – IV; acute dermal (81-2) – III; acute inhalation (81-3) – III; primary eye irritation (81-4) – III; primary skin irritation (81-5) – IV; skin sensitization (81-6) – non sensitizer.

### **RECOMMENDATIONS:**

 The subject product will be assigned the Toxicity Categories listed above to support the registration of EPA Reg. No. 90743-R.

The acute toxicity profile for EPA Reg. No. 90743-R is currently:

Acute Oral	IV
Acute Dermal	III
Acute Inhalation	III
Primary Eye	III
Primary Dermal	IV
Skin sensitization	non concitiz

Skin sensitization non sensitizer

NOTE: The acute toxicity requirements have been satisfied for the subject product.

#### LABELING:

ID #: 090743-R

D-LIMINITE ORANGE OIL

SIGNAL WORD:

CAUTION

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist or vapor. Wear long sleeved shirt, long pants, shoes, socks, and chemical resistant gloves (such as or made out of any waterproof material, selection category A).

#### FIRST AID:

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

#### USER SAFETY RECOMMENDATIONS:

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

## Similarity Clinic Screen Completed

Date: 4/7/14	
Jacket #:90 743 - P	
Actions Done:	
Acute Toxicity Review: COMPCETED - Acute Toxicity Language for Label: Done	- IN JACKET - SEE REVIEW
Product Chemistry Review: 100 / R	FACK OF
	SEND TO
Transfer This Jacket To:	TRB FOR
	REVIEW
PM7 PEURSN B+R	10

## KRK Consulting LLC

5807 Churchill Way Medina, OH 44256 Tel: 440-263-7305

E-mail: kevinkutcel@gmail.com

US EPA (REGFEE)
Office of Pesticide Programs
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

March 13, 2014

Subject: New Registration for D-Liminite Orange Oil (EPA No.90743-R)

Please accept the completed application for a new registration for the product, "D-Liminite Orange Oil," that contains the active ingredient, D-limonene. This new registration is a "Me-Too" registration citing Reg. No. 71986-2 "PowerPlant". Both products claim 95% D-limonene as the active ingredient and have identical claims on the label. The source of the D-limonene is

I discussed this package with Ms. Julie Chao several times and her recommendations are stated in the included e-mail dated January 13, 2014. Per Ms. Chao's recommendations, the acute toxicology is a cite-all and letters have been sent to the data submitters for acute toxicology. Since the product is identical to its source, Reg. No.

"Me-Too" product (Reg. No. 71986-2) that possesses the identical percentage of active ingredient and label claims as the submitted product.

Within this packet, the following information is included:

- 1. Receipt for payment (tracking number 74583281483 for a total of \$452.00. This payment reflects action code R301. Also attached is the completed application for the small business waiver along with supporting documentation.
- 2. Letter of authorization allowing KRK Consulting LLC to represent Eliminite Termite Services in all matters related to the U.S. EPA.
- 3. Copy of e-mail from Ms. Julie Chao of US EPA dated January 13, 2014.
- 4. Application for the Registration for "D-Liminite" that includes:
  - a. Five (5) copies of proposed EPA Label with CD that contains pdf of proposed label.
  - b. Form 8570-1 Application Form
  - c. Form 8570-34 Certification with Respect to Citation of Data
  - d. Form 8570-4 Confidential Statement of Formula
  - e. Form 8570-27 Formulator's Exemption
  - e. Form 8570-35 Data Matrix (8 pages)

Your cooperation in processing this application in an expedient manner is greatly appreciated. Please call me at 440-263-7305 if you should have any questions.

Best Regards.

Kevin R. Kutcel.

Agent for Eliminite Termite Services



### Eliminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, Ca 92020

February 13, 2014

U.S. Environmental Protection Agency Office of Pesticide Programs (COADR) Document Processing Desk (7504P) One Potomac Yard – Room S4900 2777 S. Crystal Drive Arlington, VA 22202

RE: Authorization for Representation / Agent Status

Pursuant to 40 CFR 152.50(b)(3), we hereby designate Kevin Kutcel of KRK Consulting LLC as an Authorized Agent to act in behalf of Eliminite Termite Services, Inc. with respect to all registration matters that may come before the Agency. The address of record for all matters related to FIFRA will be:

Eliminite Termite Services, Inc. c/o Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Contact: Kevin Kutcel - Tel. 440-263-7305

This authorization will remain valid until further notice is given by either Eliminite Termite Services, Inc. or KRK Consulting LLC.

If you have any questions, please contact KRK Consulting LLC at 440-263-7305.

Sincerely,

Mr. Barry O'Gorman

President

Cc: Kevin Kutcel - KRK Consulting LLC



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 1200 Pennsylvania Avenue, N.W. WASHINGTON, D.C. 20460

Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to average 1.25 hours per response for registration and 0.25 hours per response for registration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, Collection Strategies Division (2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460. Do not send the completed form to this address.					
Certification with Respect to C	Citation of Data				
Applicant's/Registrant's Name, Address, and Telephone Number Eliminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajo					
Active Ingredient(s) and/or representative test compound(s) d-limonene		Date 3/13/2014			
General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158) insecticide	)	Product Name D-Liminite Orange Oil			
NOTE: If your product is a 100% repackaging of another purchased EPA-registere submit this form. You must submit the Formulator's Exemption Statement (EPA Formulator's Exemption Statement)	ed product labeled fo 18570-27).	or all the same uses on your label, you do not need to			
I am responding to a Data-Call-In Notice, and have included with this form a be used for this purpose).	list of companies se	ent offers of compensation (the Data Matrix form should			
SECTION I: METHOD OF DATA SUPP	ORT (Check one m	ethod only)			
I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).  I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).					
SECTION II: GENERAL (	OFFER TO PAY				
[Required if using the cite-all method or when using the cite-all option under the select  I hereby offer and agree to pay compensation, to other persons, with regard to					
SECTION III: CERTI	FICATION				
I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses.					
I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.					
I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (I) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.					
I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.					
I certify that the statements I have made on this form and all attachments to it are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					
Signature Date Typed or Printed Name and Title Kevin Kutcel - Agent					

EPA Form 8570-34 (12-2003) Electronic and Paper versions available. Submit only Paper version.



## United States Environmental Protection Agency Washington, DC 20460

## Formulator's Exemption Statement

(40 CFR 152.85)

Appi	icant's	Name	and	Address

Eliminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020 EPA File Symbol/Registration Number

90743-R

Product Name

D-Liminite Orange Oil

0-005

Date of Confidential Statement of Formula (EPA Form 8570-4)

03/13/2014

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

d-limonene

- (2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).
- (3) Indicate by checking (A) or (B) below which paragraph applies:
- (A) An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

OR

- (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.
- (4) The following active ingredients in this product qualify for the formulator's exemption.

Source					
Active Ingredient	Product Name	Registration Number			
-limonene					
Signature / O. d. /	Name and Title	Date			
Mohend	Kevin R. Kutcel / Agent	03/13/2014			

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 – EPA Copy 2 - Applicant copy

<sup>\*</sup>Product ingredient source information may be entitled to confidential treatment\*

# 21-Day Screen Completed by Contractor

21-Day Expires on
Jacket #_ 90743-R MRID#
Content Screen: Recommend to Pass/Fail
11-3 Review: Pass/Fail/NA
Overall Status: Recommend to Pass/Fail
Transfer This Jacket to:

STEPHEN SCHAIBLE

# PRIA 3 – 21 Day Content Screen Review Worksheet (EPA/OPP Use Only)

Items for Review   Yes   No   N/A*	Exp	Day Screen Start Date: 3-18-14 September 2012  Deerts In-Processing Signature: B.B. Date 3-  ision management contacted on issues No Yes	20 - j Date _	14 Fee	Paid: Y	es_ <b>r</b>	/
Application Form (EPA Form 8570-1) signed & complete including package type  Confidential Statement of Formula all boxes completed, form signed, and dated (EPA Form 8570-4)  a) All inerts, including fragrances, approved for the proposed uses (see Footnote A)  Certification with Respect to Citation of Data (EPA Form 8570-34)  Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  f SCopies of Label (Electronic labels on CD are encouraged and guidance is available)	EPA	Reg. Number: 90743-R EPA Receipt Date: 3-	18-1	14			
Application Form (EPA Form 8570-1) signed & complete including package type  Confidential Statement of Formula all boxes completed, form signed, and dated (EPA Form 8570-1)  a) All inerts, including fragrances, approved for the proposed uses (see Footnote A)  Certification with Respect to Citation of Data (EPA Form 8570-34)  Certification with Respect to Citation of Data (EPA Form 8570-34)  Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  6 5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5		Items for Review	4		Yes	No	N/A*
a) All inerts, including fragrances, approved for the proposed uses (see Footnote A)  Certification with Respect to Citation of Data (EPA Form 8570-34) completed and signed (N/A if 100% repack)  Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  Is the data package consistent with PR Notice 86-5	1	Application Form (EPA Form 8570-1) signed & complete inclutype	ding pa	ıckage	X		
a) All inerts, including fragrances, approved for the proposed uses (see Footnote A)  3 Certification with Respect to Citation of Data (EPA Form 8570-34)  Certificate and signed (N/A if 100% repack)  Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5	2	Confidential Statement of Formula all boxes completed, form stated (EPA Form 8570-4)	signed,	and	X		
Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  6 S Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5		a) All <u>inerts</u> , including fragrances, approved for the proposed uses (see Footnote A)	yes	no			
Certificate and data matrix consistent  If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)  If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  6 S Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5	3	Certification with Respect to Citation of Data (EPA Form 8570 completed and signed (N/A if 100% repack)	)-34)	-1.57	×		
If applicable, is there a letter of Authorization for exclusive use only.  Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  6 5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5		Certificate and data matrix consistent					
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Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)  Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)  a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5		If applicable, is there a letter of Authorization for exclusive use on	lv	-		VIS (1900)	
a) Selective Method (Fee category experts use)  b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  6	4	Formulator's Exemption Statement (EPA Form 8570-27) comp	leted or	ıd	X		
a) Selective Method (Fee category experts use) b) Cite-All (Fee category experts use) c) Applicant owns all data (Fee category experts use)  5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5		Data Matrix (EPA Form 8570-35) both internal and external copi completed and signed (N/A if 100% repack)	es (PR	98-5)	×		
b) Cite-All (Fee category experts use)  c) Applicant owns all data (Fee category experts use)  5 Copies of Label (Electronic labels on CD are encouraged and guidance is available)  7 Is the data package consistent with PR Notice 86-5	5	a) Selective Method (Fee category experts use)		no			
5 Copies of <u>Label (Electronic labels on CD</u> are encouraged and guidance is available)  7 Is the data package consistent with <u>PR Notice 86-5</u>							
available)  7 Is the data package consistent with PR Notice 86-5		c) Applicant owns all data (Fee category experts use)					
7 Is the data package consistent with PR Notice 86-5	6	5 Copies of <u>Label</u> ( <u>Electronic labels on CD</u> are encouraged and available)	guida	nce is	X		
9	7	Is the data package consistent with PR Notice 86-5				+	X
	8						X

9	If applicable for conventional applications, reduced risk rational	le		K
	Required Data and/or data waivers. See Footnote C.			
	a) List study (or studies) not included with application			
10				
	*		1/2	
Comm				

. Required forms are complete

· Tech. I impurities only, no inerts to review

· No associated studies submitted

KC 3/21/2014

# Footnotes

A. During the 21 day initial content review, all CSFs will be reviewed to determine whether all inerts listed, including fragrances, are approved for the proposed uses or have an application pending with the Agency. If an unapproved inert with no application pending with the Agency is identified, the applicant must either 1) resolve the inert issue by, for example, removing the inert, substituting it with an approved inert, submitting documentation that EPA approved the inert for the proposed pesticidal uses, correcting mistakes on the CSF, etc. or 2) provide the data to support OPP approval of the inert or 3) withdraw the application. Removing or substituting an inert ingredient will require a new CSF and may require submission of data. All information, forms, data and documentation resolving the inert issue must have been received by the Agency or the application withdrawn within the 21 day period, otherwise, the Agency will reject the application as described below.

To successfully complete this aspect of the 21 day initial content screen, applicants are strongly encouraged to verify that all inert ingredients have been approved for the application's uses or have an application pending with the Agency even if a product is currently registered by consulting the inert Web site and if the inert is not approved nor has an application pending with the Agency, to obtain the necessary inert approval prior to submitting an application to register a pesticide product containing that inert ingredient. Some inert ingredients are no longer approved for food uses or certain types of uses. The name and/or CAS number on a CSF must match the name and CAS number on this web site. Simple typographical errors in the name or CAS number have resulted in processing delays.

If an inert is not listed on the inert ingredient web site and the applicant believes that the inert has been approved, the applicant should contact the Inert Ingredient Assessment Branch (IIAB) at <a href="inertsbranch@epa.gov">inertsbranch@epa.gov</a> and resolve the issue. Copies of the correspondence with IIAB resolving the issue should accompany the application. All new inerts except PIP inerts are reviewed by IIAB. The IIAB should also be contacted for any questions on what supporting data needs to be submitted for and the Agency's inert review process. Questions on PIP inerts should be directed to the <a href="Chief of Microbial Pesticides Branch">Chief of Microbial Pesticides Branch</a>.

When a brand, trade, or proprietary name of an inert ingredient is listed on a CSF, additional information such as an alternate name of the inert, CAS number or other information must also be included to enable the Agency to determine if it has been approved. Each component of an inert mixture (including a fragrance) must be identified. In some cases, the supplier of the mixture or fragrance may need to provide this information to the Agency. Prior to the Agency's receipt of an application, applicants must arrange with a proprietary mixture or fragrance supplier to provide the component information to the Agency or promptly upon EPA's request. If the inert ingredients in a proprietary blend (including fragrances) cannot or are not identified or provided within the 21-day content review period, the Agency will reject the application.

During the 21 day content review, applicants should submit information to the individual identified by the Agency when the applicant is informed of an unapproved inert.

# Unapproved Inerts Identified on CSFs

# All applications except conventional new products and PIPs

Once an unapproved inert is identified on a CSF, the Agency will contact the applicant with the following options:

- Correct the application by, for instance, correcting the inert's identity or CAS number, providing documentation that the inert has been approved, or removing the unapproved inert from the CSF or replacing it with one that is approved for the application's uses; or
- 2. Provide the required information necessary to identify an inert approval application that is pending with the Agency; or
- Submit the information and data needed for the Agency to approve the unapproved inert. If this option is selected and implemented, the Agency may request an extension in the PRIA decision review timeframe to accommodate the inert review/approval process;
- Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of these options is selected and implemented by the applicant within the 21 day content review period, the Agency will reject the application and retain 25% of the full fee of the category identified.

# Conventional New Product Applications

When the Registration Division identifies an unapproved inert on a CSF with an application for a new product that the applicant has not identified as requiring an inert approval (R300 or R301), it will contact the applicant with the following options:

- Correct the application by, for instance, correcting the inert's identity or CAS number, providing documentation that the inert has been approved, or removing the unapproved inert from the CSF or replacing it with one that is approved for the application's uses; or
- 2. Submit the information and data needed for the Agency to approve the unapproved inert, including any required petition to establish or amend a tolerance or exemption from a tolerance. (This option may change the PRIA category for the application, which could require a longer decision review time and a larger fee. If additional fees are due, they must be received by the Agency within the 21 day content review period.)

3. Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of the above options is selected and implemented during the 21-day content-review period, the Agency will reject the application and retain 25% of the appropriate fee for the new product-inert approval category.

# PIP Applications

When the Biopesticide and Pollution Prevention Division identifies an unapproved inert on a PIP CSF and a request to approve the inert does not accompany the application, it will contact the applicant with the following options:

- Correct the application by, for instance, correcting the spelling or name of the inert to that in 40 CFR 174, or providing documentation that the inert has been approved; or
- 2. Submit the information and data needed for the Agency to approve the unapproved inert. If an inert ingredient tolerance exemption petition is required, the petition must be received by the Agency and the B903 fee paid within the 21 day period. If this option is selected and implemented, the Agency will discuss harmonizing the timeframe for both actions.
- Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of the above options is selected and implemented during the 21 day content review period, the Agency will reject the application and retain 25% of the fee.

- B. A policy on documentation of offers to pay is still being developed, however, for a me-too or fast track (similar/identical) new product, R300 or A530, an application without the necessary authorizations of offers to pay will be placed into either R301 or A531. The Agency recommends that authorizations of offers to pay be submitted with other PRIA applications to avoid delays in the Agency's decision.
- C. Biopesticide applicants are advised to contact the Agency and discuss study waivers prior to submitting their application to the Agency. Documentation of such discussions should be submitted with the study waiver.

# R 300 and 301

100% identical (repack): YES or NO (circle one)
{If yes, it's a 100% repack - then product chemistry, acute toxicity and efficacy data are not required}

Data on Group and A and B must be submitted - Group A and B can <u>not</u> be cited.

Guideline	Group A: Product Chemistry Data	Data submit	ted
No.	Study Title	Yes	No
830.1550	Product Identity & Composition		
830.1600	Description of materials used to produce the product	~	
830.1650	Description of formulation process	~	
830.1670	Discussion on the formation of impurities	V	
830.1700	Preliminary analysis	1	
830.1750	Certified limits (158.345)	1	
830.1800	Enforcement analytical method	/	

Guideline	Group B: Product Chemistry Data	Data submi	tted
No.	Study Title	Yes	No
830.6302	Color	~	
830.6303	Physical State	V	
830.6304	Odor	V	
830.6314	Oxidation/Reduction (Chemical incompatibility)	V	
830.6315	Flammability	V	
830.6316	Explodability	V	
830.6317	Storage stability	V	
830.6319	Miscibility	/	
830.6320	Corrosion Characteristics	/	
830.6321	Dielectric Breakdown voltage	1	
830.7000	рН	V	
830.7100	Viscosity	V	
830.7300	Density	1	

# R 300 and 301

New products must provide a bridging rationale document. The bridging document directs OPP to use a currently registered set of 6 acute toxicity data and label; instead of submitting product specific data.

Guideline	Acute toxicity (6 pack)	Cit	ed
No.	Study Title	Yes	No
870.1100	Acute Oral (LD50)	/	
870.1200	Acute Dermal (LD50)	V	
870.1300	Acute Inhalation (LC50)	V	
870.2400	Acute Eye Irritation	V	
870.2500	Acute Dermal Irritation		
870.2600	Dermal Sensitization	V	

Efficacy – which guideline depends on the proposed label use and they must cite the data to be used for the bridging rationale.

Guideline		Cif	ed	
No.	Efficacy Study Titles	Yes	No	Comments
810.3100	Soil Treatments for Imported Fire Ants			
810.3200	Livestock, Poultry, Fur and Wool-Bearing Animal Treatments			
810,3300	Treatments to Control Pests of Humans and Pets			
810.3400	Mosquito, Black Fly, and Biting Midge (Sand Fly) Treatments			
810.3500	Premises Treatments			
810.3600	Structural Treatments			
810.3800	Methods for Efficacy Testing of Termite Baits	/		

810 Serics



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

March 19, 2014

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

OPP Decision Number: D-488758

EPA File Symbol or Registration Number: 90743-R

Product Name: D-LIMINITE ORANGE OIL

EPA Receipt Date: 18-Mar-2014 EPA Company Number: 90743

Company Name: ELIMINITE TERMITE SERVICES, INC.

KEVIN KUTCEL KRK CONSULTING LLC ELIMINITE TERMITE SERVICES, INC. 5807 CHURCHILL WAY MEDINA, OH 44256-

SUBJECT: Receipt of Application and 75% Small Business Waiver Request

Dear Registrant:

The Office of Pesticide Programs has received your application, 75% small business waiver request, and certification of payment. If you submitted data with this application, the results of the PRN-2011-3 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: R301

NEW PRODUCT; IDENTICAL OR SUBSTANTIALLY SIMILAR IN COMPOSITION AND USE TO A REGISTERED PRODUCT; REGISTERED SOURCE OF ACTIVE INGREDIENT; SELECTIVE DATA CITATION ONLY FOR DATA ON PRODUCT CHEMISTRY / ACUTE TOXICITY / PUBLIC HEALTH PEST EFFICACY, WHERE APPLICANT DOES NOT OWN ALL REQUIRED DATA NOR HAS AUTHORIZATION LETTER FROM DATA OWNER;

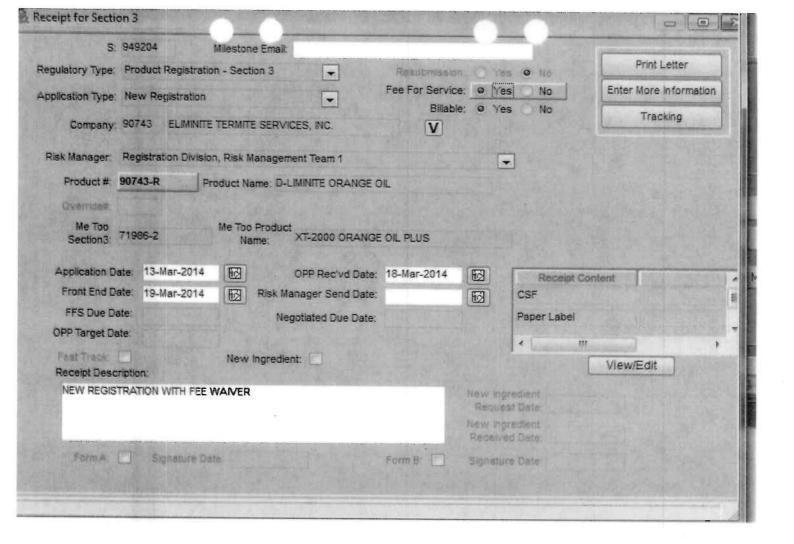
Your request for waiver has been forwarded for review. You will be notified in writing when a determination is made regarding your request. If your waiver request is approved, the decision review time period will start on the date of approval. If your waiver request is denied, you will receive an invoice for the outstanding balance.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman at (703) 308-9362.

Front End Processing Staff

Information Technology & Resources Management Division

This package includes the following  New Registration  Amendment  Studies? ✓ Fee Waiver?  volpay % Reduction: 75	for Division  AD BPPD RD  Risk Mgr.  7
Receipt No. S- EPA File Symbol/Reg. No. Pin-Punch Date:	949204 90743-R 3/18/2014
This item is NOT subject t	o FFS action.
Action Code:  Requested: R30   Granted: R30   Amount Due: \$ 1806	Parent/Child Decisions:
inert Cleared for Intended Use	Uncleared Inert in Product
Reviewer: H. GARNE	Date:_3
Remarks:	



## Online Payment

# Step 3: Confirm Payment

1 | 2 | 3

Thank you.

Your transaction has been successfully completed.

Pay.gov Tracking Information

Application Name: PRIA Service Fees

Pay.gov Tracking ID: 25EO53QA Agency Tracking ID: 74583281483

Transaction Date and Time: 03/10/2014 10:40 EDT

**Payment Summary** 

Address Information

Account Holder Name: Barry OGorman

8312 Mary Dean

Billing Address: Ln Billing Address 2:

City: Lakeside

State / Province: CA

Zip / Postal Code: 92040

Country: USA

Account Information

Card Type: Visa

Card Number: \*\*\*\*\*\*\*\*\*1774

Decision

Number:

Registration Number: 90743-R

Company Eliminite Termite

Name: Service

Company 90743

Action Code: R301

Number:

Payment Information

Payment Amount: \$452.00

Transaction Date 03/10/2014

and Time: 10:40 EDT

Please read instructions on reverse before a	rding form.	Form Approve	OMB No. 2070-0060	Print Form
EPA Environmenta	Inited States I Protection Agington, DC 20460	ency	Registration Amendment Other	OPP Identifier Number
	Application for	Pesticide - Section		
1. Company/Product Number Eliminite Termite Services, Inc. / 90743-R		2. EPA Product Menager Meredith Laws	3. Pro	posed Classification
4. Company/Product (Name) Eliminite Termite Services, Inc. / D-Liminite (	Orange Oil	PM8 7	×	None Restricted
5. Name and Address of Applicant Unclude ZIP Co Eliminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020 Check if this is a new address	ode)	6. Expedited Review (b)(i), my product is sin to: 71986  Product Name	nilar or identical in cor 5-2	FIFRA Section 3(c)(3) mposition and labeling
	Se	ction - II		
Amendment - Explain below.  Resubmission in response to Agency letter  Notification - Explain below.	dated	Final printed labe Agency letter da  *Me Too* Applic  Other - Explain b	etion.	
Explanation: Use additional page(s) if necessar Please see cover letter.	y. (rot section i and S	ection (I.)		
	Sec	tion - III		
1. Material This Product Will Be Packaged In:				
Child-Resistant Packaging  Yes  No  Unit Packaging  Yes  No	Wete	Soluble Packaging Yes No	2. Type of Contriner  Metal  X Plantic  Glass	
be submitted If "Yes" Unit Peckeging wgt.	No. per If "Ye container Packs	s" No. per ge wgt container	Faper Other (S)	pecify)
3. Location of Net Contents Information    X   Label	4. Size(s) Reteil Conte 1 gallon	iner 5. Lo	ocation of Label Direction On Label On Labeling accomp	
6. Manner in Which Lebel is Affixed to Product	Lithograph Paper glued Stenciled	Other		
		tion - IV		
1. Contact Point   Complete items directly below f	or identification of indi	ridual to be contacted, if nec	essary, to process this t	application.)
Namo Kevin Kutcel	Title Agent		Telephone 440-263-	No. (Include Area Code) 7305
I certify that the statements I have made on I acknowledge that any knowingly false or n both under applicable law.	Certification this form and all attac nisleading statement m	nments thereto are true, acc sy be punishable by fine or is	urate and complete	6. Date Application Received (Stamped)
2. Signeture	3. Title Agent			
4. Typed Name	5. Date			



Form Approved OMB No. 2070-0060

send the form to this address. Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to a rerage 0.25 hours per response for registration activities and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Do not

	DAT	DATA MATRIX			
Date 3/13/2014			EPA Reg No./File Symbol 90743-R		Page 1 of 4
Applicant's/Registrant's Name & Address iminite Termite Services, Inc. 1000 W.	pplicant's/Registrant's Name & Address Jiminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020		Product D-Liminite Orange Oil		
ngredient d-limonene			, in the second		
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
870.1100	Acute Oral Toxicity Study in Rats		Offers of Compensation sent to d-limonene		cite-all
370.1200	Acute Dermal Toxicity Study in Rabbits		data submitters for acute toxicity data:		cite-all
370.1300	Acute Inhalation Study in Rats		Bayer Crop Science LP		cite-all
370.2400	Primary Eye Irritation in Rabbits		PO Box 12014		cite-all
370.2500	Primary Dermal Irritation Study in Rabbits		Research Triangle Park, NC 27709		cite-all
370.2600	Dermal Sensitization Study in Guinea Pigs				cite-all
			Cutting Edge Formulations, Inc.		
			3057 Summer Oak Place		
			Buford, GA 30518		
ignature			Name and Title		Date 04/13/2014
,,					

Agency Internal Use Copy

Sig



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	DAT	DATA MATRIX			
Date 3/13/2014			EPA Reg No./File Symbol 90743-R		Page 2 of 4
Applicant's/Registrant's Name & Address // /minite Termite Services, Inc. 1000 W.	Applicant's/Registrant's Name & Address firminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020		Product D-Liminite Orange Oil		
ingredient d-limonene					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
810 series	Warner, W.; Scheffrahn, R. (2004) 92 Percent D-Linonene	47008501	XT-2000 Inc.	pay	
	Toxicity of XT 2000on the Tortugas Carpenter Ant				
	Camponotus Tortugauns (Hymenoptera: Formicidae).				
810 series	Scheffrahn, R. (2003) Evaluation of for Control of	47651901	XT-2000 Inc.	pay	
	Mature Colonies of the Southeastern Drywood				
	Termite, Incisitermes snyderi Infesting Field-Collected				
	Wood.				
Signature	A STATE OF THE STA		Name and Title Kevin Kutcel / Agent		Date 04/13/2014
, , ,			Nevin Kulcei / Agent		04/13/2014

EPA Form 8570-35 (9-97) Electronic and Paper versions available. Submit only Paper version.

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	DAT	DATA MATRIX			
Date 3/13/2014			EPA Reg No./File Symbol 90743-R		Page 3 of 4
Applicant's/Registrant's Name & Address liminite Termite Services, Inc. 1000 W.	opplicant's/Registrant's Name & Address fiminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020		Product D-Liminite Orange Oil		
Ingredient d-limonene			7.0		
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
830.1550	Product Identity and Composition	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
830.1600	Description of Materials Used to Produce the Product	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
830.1650	Description of Formulation Process	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
830.1670	Discussion of the Formulation of Impurities	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
830,1750	Certified Limits	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
830.1800	Enforcement Analytical Method	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.1900	Submittal of Samples	46511101	FLORIDA CHEMICAL COMPANY, INC.	per	
Signature	Rod		Name and Title Kevin Kutcel / Agent		Date 04/13/2014

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	DA	DATA MATRIX			
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Applicant's/Registrant's Name & Address iminite Termite Services, Inc. 1000 W.	pplicant's/Registrant's Name & Address .iminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020		Product D-Liminite Orange Oil		
Ingredient d-limonene					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
830.6302	Color	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6303	Physical State	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6304	Odor	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6314	Oxidation / Reduction; chemical incompatibility	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6315	Flammability	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6316	Explodability	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6317	Storage Stability	47246101	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6319	Miscibility	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
30.6320	Corrosion Characteristics	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.6321	Dielectric Breakdown	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.7000	рН	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.7100	Viscosity	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
830.7300	Density	46511103	FLORIDA CHEMICAL COMPANY, INC.	per	
Signature	Mad		Name and Title Kevin Kutcel / Agent		Date 04/13/2014

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# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460 401 M Street, S.W.

Form Approved OMB No. 2070-0060

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DATA MATRIX		
Date 3/13/2014	EPA Reg No./File Symbol 90743-R	Page 1 of 4
Applicant's/Registrant's Name & Address	Product	,
_liminite Termite Services, Inc. 1000 W. Bradley, Suite G El Cajon, CA 92020	D-Liminite Orange Oil	
Ingredient d-limonene		
Guideline Reference Number Guideline Study Name MRID Number	Submitter	Note
	Offers of Compensation sent to d-limonene	
	data submitters for acute toxicity data:	
	Bayer Crop Science LP	
	PO Box 12014	
	Research Triangle Park, NC 27709	
	Cutting Edge Formulations, Inc.	
	3057 Summer Oak Place	
	Buford, GA 30518	
日本の日本の日本の日本の日本の大の日本の大の日本の大の日本の大の日本の大の日本		
Signature	Name and Title Kevin Kutcel / Agent	Date 04/13/2014

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Applicant's/Registrant's Name & Address	iress		Product		
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Ingredient d-limonene					
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Signature	Road		Name and Title Kevin Kutcel / Agent		Date 04/13/2014

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Date 3/13/2014			EPA Reg No./File Symbol 90743-R		Page 4 of 4
Applicant's/Registrant's Name & Address	ess		Product		
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Ingredient d-limonene					
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Signature			Name and Title		Date
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# DELINITED RANGES

# FOR DRYWOOD TERMITES, WOOD BORING BEETLES AND CARPENTER ANTS

# **Ingredients**

Active Ingredient: d-Limonene: 95% Inert Ingredients: 5% Total Ingredients: 100%

# KEEP OUT OF REACH OF CHILDREN CAUTION

See Back Panel for Additional Precautionary
Statements

EPA Reg. No.

EPA Est. No.

Manufactured by

# ELIMINITE TERMITE SERVICES, INC.

1000 W. Bradley, Suite G, El Cajon, CA 92020

For product use information call (855) 504.8989 (toll free)

For Chemical Emergency, Spill, Leak or Fire call CHEMTREC (800) 424-9300 For Medical Emergency or Adverse Event call PROSAR (800) 983-4711

**NET CONTENTS 1 GALLON (3.785L)** 

# PRECAUTIONARY STATEMENTS

### FIRST AID

Have the product container or label with you when calling a poison control center or going for treatment.

If swallowed: Call a poison control center or a doctor immediately for

treatment advice. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything to

an unconscious person.

If in eyes: Hold eye open and rinse slowly and gently with water for

15-20 minutes. Remove contact lenses, if present, after the first 15 minutes, then continue rinsing. Call a poison

control center or doctor for treatment advice.

If on skin: Take off contaminated clothing. Rinse skin immediately

with the soap and plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

If inhaled: Move person to fresh air If person is not breathing and

Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth of possible. Call a poison control center or doctor for further treatment advice.

HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION: Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. May cause eye or skin irritation. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Harmful if inhaled. Avoid breathing vapor. Wash thoroughly with soap and water after handling. Do not use or store near heat or open flame.

## **ENVIRONMENTAL HAZARDS:**

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean water mark. Do not contaminate water when disposing of equipment, washwater or rinsate. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

# SPILLPROCEDURES

Remove source of spill. Use absorbent materials to clean up liquid spills. Put absorbed liquid in waste disposal container and flush contaminated surfaces in water. Dispose of according to local and regional authority requirements. This product is biodegradable.

### LIABILITY

Read direction before use. Follow all directions. Misuse of this product is dangerous. Eliminite Termite Service, Inc. is not responsible for any injury or liability due to the user's failure to follow the label instructions. For more information, please call 1-855-504-8989

# DIRECTIONS FOR USE IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT ON A MANNER INCONSISTENT WITH ITS LABELING

## FOR USE IN WOODEN STRUCTURES AND/OR WOODEN OBJECTS PERSONAL PROTECTIVE EQUIPMENT

All pesticides handlers (loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical resistant footwear, chemical resistant gloves and protective eyewear.

Structural Drywood Termite Infestation: Applicator must locate termite galleries. Visual signs of infestation such as frass, pellets, or blistered wood, "kick-out holes" and presence of live insects can be used to locate drywood termite infestations. Fiber optic equipment, Thermal Imageing or listening devices can also be used.

**Application Equipment:** Apply **D-liminite Orange Oil** using B&G Injector Model T1000 Trigger with 6466 T-Jet Valve or equivalent with 14.5 psi in line pressure register.

Wood Injections: Drill 7/64" holes into galleries within infested wood. Avoid electrical wiring and plumbing when drilling. Do not drill completely through wood. Use a "Wide W" pattern at 3"-5" intervals to ensure coverage and penetration of **D-liminite Orange Oil**. Drill holes on opposite sides of 4" x 10" or larger beams to effectively penetrate galleries. Inject for up to one minute. Avoid splash back or runoff from excessive or prolonged use. Plug holes after treatment with wood fillers or other non-wood material.

Retreatment: Reapply if termite activity is detected following treatment. For best results, inject D-liminite Orange Oil into new holes drilled between previous injection sites.

Wood Boring Beetle Infestation: Applicator must locate beetle infestation. Topically apply D-liminate Orange Oil at a rate of 1 gallon per 100 square feet or until surface is thoroughly wet. D-liminite Orange Oil may also be injected with the "Wide W" pattern. Retreatment: Reapply as necessary to eradicate infestation.

Structural Carpenter Ant Infestation: This product will only kill foraging carpenter ants present at the time of application. Applicator must locate ant infestation. Inject 1 oz. of D-liminite Orange Oil in wall void framing at 10 to 15 psi using B&G Injector Model T100 Trigger with 6466 T-Valve or equivalent. Patch and seal area after treatment.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by large storage and disposal.

Pesticide Storage: Store in original container in a cool, dry area and inaccessible to children and domestic animals.

Pesticide Disposal: Water resulting from the use of this product may be disposed onsite or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after use. Offer for recycling if available, or puncture and dispose of in a sanitary landfill., or by other approved State and local procedures.

## Kevin Kutcel

From: Sent: Chao, Julie [Chao.Julie@epa.gov] Monday, January 13, 2014 10:18 AM

To: Subject:

Kevin Kutcel RE: D-limonene

Hi Kevin,

We have been discussing this, and the PM plans to take this to the weekly PM meeting to confirm. What we have determined thus far is that it will not qualify as a repack. Acute toxicity is not waived, but you can do a cite-all (meaning the Agency will utilize all data that it has in its records) and cite the currently registered product to which your product is similar. Product chemistry data are product-specific, so you will most likely need to cite the data for the products being purchased. Because there is additionally an efficacy citation, it is most likely that this action would be coded as an R310.

Julie

From: Kevin Kutcel [mailto:kevinkutcel@qmail.com]

Sent: Monday, January 13, 2014 9:46 AM

To: Chao, Julie Subject: D-limonene

Julie,

Just following up with our phone conversation about a week ago regarding an application for a 95% d-limonene product in which the source is Did you have an opportunity to talk with the PM to see if a 100% repack was possible? If not, would the acute toxicity be waived as it appears there is not acute toxicity studies submitted for 95% d-limonene product? Your assistance is greatly appreciated.

Warm Regards,

Kevin Kutcel KRK Consulting LLC 5807 Churchill Way Medina, OH 44256

Tel: 440-263-7305 Fax: 440-398-0476

E-mail: kevinkutcel@gmail.com

L-man. <u>kevnikuteen@gman.com</u>

<sup>\*</sup>Product ingredient source information may be entitled to confidential treatment\*

